

PUBLIC HEARING
Bruce & Lori Facer – Special Use Permit
Taxidermy Shop

The public hearing scheduled to be held on Thursday, November 12, 1998 at the Town office, 201 East Main Street, Palmyra, was called to order at 7:30 PM by Town Supervisor David C. Lyon.

Those in attendance at this public hearing, in addition to the board members included:

Angela Dart, Canandaigua Road, Palmyra
Ed & Patty Diaz, Canandaigua Road, Palmyra
Frances Rush, Canandaigua Road, Palmyra
Bruce C. Facer, 3702 Rt. 31, Palmyra
Sylvia Huff, Palmyra
Robert Grier, Code Enforcement Officer
Nelson F. Cook, Highway Superintendent

The legal notice, as published in the Courier-Journal, was read by the Town Clerk.

Supervisor Lyon asked Mr. Facer if he would please explain to those present what he would like to do. Mr. Facer stated that he has been going to school to learn to become a taxidermist. He said that most of the work will be sent out to be processed and he will re-assemble the animal when it comes back from processing.

Supervisor Lyon asked those present for any comments or questions regarding this matter. James Welch, board member, asked if any of the processing would be done on his property. Mr. Facer told him, no, it will all be sent out.

Supervisor Lyon asked him if his was the property with the circular driveway so that there would not be a traffic problem. Mr. Facer said he does have a circular drive and that he is going to keep his full-time job; this will be just a small side business and he does not anticipate any traffic problems.

Supervisor Lyon read from the application that he would like the hours to be 5:00 PM thru 8:00 PM on Monday thru Friday and 9:00 AM thru 3:00 PM on Saturday; he asked Mr. Facer if this was still correct? Mr. Facer said it was the same.

Supervisor Lyon asked if there were any more questions or comments. There being none, he asked the Town Clerk to read the Wayne County Planning Board recommendation.

Robert Grier, ZEO
T. Palmyra
201 East Main Street
Palmyra, New York 14522

RE: B & L Taxidermy
3702 Route 31
Tax Map Ref. No: 33111-00-430540
Special Permit

Dear Mr. Grier,

At its regular meeting on October 28, 1998, the Wayne County Planning Board reviewed the above referenced referral and recommend approval with the condition that an agricultural date statement is included with the referral.

If you have any questions regarding this determination, please don't hesitate to contact me.

Sincerely,
Bret De Roo
Sr. Planner

The following Town of Palmyra Planning Board recommendation was then read into these minutes:

Date: November 10, 1998
To: Bev Hickman
From: Dan Wooden
Re: Town Planning Board Recommendation for B & L Taxidermy

On Monday, November 9, 1998 the Town Planning Board recommended, by unanimous vote, that the Town Board grant the Special Use Permit applied for by Bruce & Lori Facer for B & L Taxidermy. The Planning Board felt that it should be granted for the following reasons:

1. The business would not have a negative impact on the surrounding area.
2. The business will not create any traffic problems.
3. The business will be an asset to the Town because there are no other known businesses of this kind in the town.

Dan Wooden

Supervisor Lyon again asked if there were any more questions or comments regarding this application. There being none, he declared this public hearing closed at 7:40 PM.

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REGULAR TOWN BOARD MEETING

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, November 12, 1998, at the Town Officer, 201 East Main Street, Palmyra, was called to order immediately following the public hearing, by Town Supervisor David C. Lyon.

Supervisor Lyon led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following board members were present:

Town Supervisor -	David C. Lyon
Town Board Members -	David Nussbaumer
	Lynne Green
	James Welch
	Michael Lambrix

David Nussbaumer moved to approve the minutes of the October 22, 1998 regular Town Board Meeting, as submitted.

Seconded by: Michael Lambrix Carried: Unanimously

COMMUNICATIONS

There were none at this time.

REPORTS OF STANDING COMMITTEES

Assessment Committee - Lynne Green, Chairman
1. Data Collection

Lynne Green explained to the board that there is a considerable amount of data collection to be done at the mobile home parks within the Town of Palmyra. Cathy Contant has been asked to do this work in her spare time and has agreed to do so.

Lynne Green moved to authorize Catherine Contant to do the necessary data collection for the mobile home parks in the Town of Palmyra at a cost not to exceed \$500.00.

Seconded by: David Nussbaumer Carried: Unanimously

Highway Committee - David Nussbaumer, Chairman

1. Authorize to prepare specs and to let out bids for the equipment in the 1999 budget

Nelson Cook, Highway Superintendent, explained to those present that it can take a great deal of time for delivery of some kinds of equipment and he would like to have a jump-start on this. David Nussbaumer moved to

authorize the highway superintendent to prepare specs and to let out bids on the equipment in the 1999 budget.

Seconded by: Michael Lambrix Mr. Lambrix mentioned to Mr. Cook that he should make sure that enough places were notified of the bids so that the board had 2 or 3 to chose from. Mr. Cook assured him that he would.

Carried: Unanimously

2. Request for "Bus Stop Ahead" signs

Mr. Cook informed the board that he had received a request for a "Bus Stop Ahead" sign from Cindy Mousso at the north end of Jagger Road. He said he is going to bring it to the attention of the Marion School District also and ask for a recommendation from them.

3. Problems with the Motorcycle Association

These problems were discussed at the last meeting. Mr. Cook has talked to the new president about this and he is going to see what he can do to alleviate these problems.

Planning Committee - James Welch, Chairman

No report at this time.

Robert Grier, Code Enforcement Officer, reported that the balloon test scheduled to be done at the Pedtke property is scheduled for Nov. 13, 1998 in the AM if anyone would like to be present.

Zoning Committee - Michael Lambrix, Chairman

1. Special use – Bruce & Lori Facer – Taxidermy Shop – Subject of Public Hearing

Michael Lambrix moved to approve the Special Use Permit for Bruce & Lori Facer to have a taxidermy shop at their property located at 3702 Rt. 31, Palmyra, with the usual conditions set forth in the statement.

Seconded by: David Nussbaumer Carried: Unanimously

AGENDA ITEMS

1. Resolution adopting the April 1, 1998 Model Plan & Trust – PEBSO

David Nussbaumer moved the following resolution:

WHEREAS, the New York State Deferred Com0endation Board (the "Board"), pursuant to Article 2, Section 5 of the new York State Finance law (Section 5), and the rules and regulations of

the new York State Deferred Compensation Board (published in the State Register July 1, 1998 with an effective date of October 1, 1998, ("the Regulations"), has promulgated the Model Deferred Compensation Plan for Employees of the Town of Palmyra (the "Model Plan") and offers the Model Plan for adoption by local employers;

WHEREAS, Section 457 of the Internal Revenue Code of 1986, as amended ("the Code"), was recently amended by the Small Business Job protection act of 1996 to require that amounts held pursuant to eligible deferred compensation plans such as the Model Plan must be held in trust for the exclusive benefit of participants and their beneficiaries:

WHEREAS, Section 457(e)(9) of the Code was recently amended by the Taxpayer Relief Act of 1997 to increase the maximum elective distribution amount for small accounts from \$3,500 to \$5,000:

WHEREAS, Effective September 3, 1997, the Board amended and restated the Model Plan to increase the maximum elective distribution amount for small accounts from \$3,000 to \$5,000 to permit the deferred compensation committee of a Model Plan to direct the transfer of the account balances of participants whose employment is being transferred to another employer permitted to adopt an eligible deferred compensation plan pursuant to section 457 of the Code or, alternatively, to permit such participants to each transfer their account balances, to the eligible deferred compensation plan of the participants new employer, and to clarify that each participant may take into account the portion of the annual deferred compensation limitation that the participant did not utilize under any eligible deferred compensation plan adopted pursuant to Section 457 of the Code for the purpose of determining such participant's catch-up contribution limitation with respect to the Model Plan adopted by the Participant's employer;

WHEREAS, the Board has offered for adoption the amended and restated model plan to each Model Plan sponsored by a local employer in accordance with the Regulations;

WHEREAS, the Town of Palmyra, pursuant to Section 5 and the Regulations, has fully considered the various options available to it for the adoption of eligible deferred compensation plans, including adoption of the State Plan, the Model Plan, and individually designed plans, and desires to adopt the Model Plan which shall be known as the Deferred Compensation Plan for the Employees of the Town of Palmyra;

WHEREAS, the Town of Palmyra has appointed a Deferred Compensation Committee ("the Committee") to act on behalf of the Town of Palmyra's Deferred Compensation Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Palmyra hereby adopts the Deferred Compensation Plan for Employees of the Town of Palmyra by adopting the amended and restated Model Plan effective April 1, 1998,

AND, BE IT FURTHER RESOLVED, that the Town of Palmyra hereby selects David C. Lyon to serve as trustee pursuant to the proposed Trust Agreement.

Seconded by: Michael Lambrix Carried: Unanimously

Lynne Green then moved to adjourn this meeting of the Town Board.

Respectfully submitted,

Beverly E. Hickman
Town Clerk